



Charmayne Ong Poh Yin
Partner

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“She is a go-to lawyer for TMT and IP, with a super network and excellent team. She is also very responsive.”

**Chambers Asia-Pacific
2023**

Charmayne heads both the Intellectual Property (IP) practice and the Technology, Media and Telecommunications (TMT) practice. Aside from IP and TMT, her practice also has a strong focus on data protection. Charmayne works with regulators, associations and companies of all sizes in shaping the future of IP, TMT and data protection.

Charmayne’s areas of practice include managing the registration of and general advisory and drafting work relating to the classic forms of IP rights (trademark, copyright, industrial design rights and patents). She deals with regulators and advises clients who provide technology and telecommunications services such as satellite, internet and on-demand content services on regulatory compliance and licensing matters.

She also advises various multinational and local companies on data protection issues including compliance with data protection laws and strategic response to data breach incidents, including guiding clients through data breach reporting requirements and supporting clients in highly regulated sectors.

She is the Malaysian member of the Global Leaders Forum (TMT practice) and a member of the Federation of Malaysian Manufacturers (FMM) (for IP and TMT).

Key Practice Areas

Technology, Media and Telecommunications
Intellectual Property
Data Protection

Selected Experience

Technology, Media and Telecommunications

- ❖ Advised various multinational technology companies on licensing requirements and compliance with telecommunications laws and other relevant laws in respect of providing their data centre and internet services in Malaysia, including advice on a broad range of issues including procurement, import, leasing and installation of telecommunications infrastructure and equipment, industry-specific requirements, data protection/privacy issues and

rights of access by enforcement bodies and governmental bodies.

- ❖ Advised various clients on the end-to-end rollout of their OTT service in Malaysia including advice on the relevant laws such as data protection, telecommunications, IP rights, product and marketing, advertising and content regulation.
- ❖ Assisted a party involved in the provision of digital terrestrial television in Malaysia as, an initiative of the MCMC.
- ❖ Advised on the supply of security operations centre (SOC) services by a company specialising in managed cybersecurity services and securing the integrity of IT assets; and prepared template agreements for the client's business.
- ❖ Advised both the government and industry as a member of a national task force and various other committees.
- ❖ Advised on and drafted a wide variety of commercial contracts used in the technology industry (e.g. outsourcing, licensing, development, systems integration, distribution, service levels, SaaS and end user licence agreements).
- ❖ Advised various companies on the regulatory framework on online gaming and contest promotion.
- ❖ Advised on the laws and regulations concerning the supply of telecommunications facilities and the operation, maintenance and commercialisation thereof; and preparation of the related agreements.

Intellectual Property

- ❖ Acts as the agent and manages the trademark and patent portfolio for clients across various industries.
- ❖ Provides general advisory work relating to the classic forms of IP rights: trade mark, copyright, industrial design rights and patents. Her experience involves advising on and drafting of IP-related contracts (e.g. licensing, distributorships and technology transfers).
- ❖ Advises on product recall, labelling and advertising covering various industries e.g. food & beverage, cosmetics, pharmaceutical, electrical and telecommunications products.
- ❖ Advises various companies including internet access service providers, domain name registrars and web-hosting companies on content requirements and take-down provisions under Malaysian laws vis-à-vis copyright infringing and unlawful

content.

Privacy and Data Protection

- ❖ Advised various multinational and local companies on data protection issues including compliance with the Personal Data Protection Act 2010 (“PDPA”) and data access rights of governmental authorities across various heavily regulated industries including telecommunications, healthcare, food, insurance and banking industries.
- ❖ Drafted and reviewed agreements between various companies and third parties such data processors, subsidiaries and related companies for compliance with the PDPA.
- ❖ Advised various clients as ‘first responders’ to data breach incidents and working closely with them on the strategic management of such incidents, including guiding clients through data breach reporting requirements and supporting clients in highly regulated sectors such as banking and insurance.

Qualifications & Professional Affiliations

Qualifications:

Trade Mark Agent
Design Agent
Patent Agent
Advocate and Solicitor, High Court of Malaya (1987)
Certificate of Legal Practice, Malaysia (1986)
LL.B (Hons) University of London (1985)

Professional Affiliations:

Member, National Blockchain and Artificial Intelligence Committee, NBAIC
Member, Malaysian Intellectual Property Association
Member, Licensing Executives Society Malaysia
Member, International Trademark Association (INTA)
Member, Asian Patent Attorneys Association
Member, The Association of European Trade Mark Owners (MARQUES)
Malaysian member, Global Leaders Forum (TMT practice)
Member, Federation of Malaysian Manufacturers (FMM) (for IP and TMT)

Accolades

- Ranked for Intellectual Property as a "*Leading Individual*" in Legal 500 Asia Pacific 2018 - 2021, and under "*Hall of Fame*" in Legal 500 Asia Pacific 2022 - 2025
- Ranked for TMT as a "*Leading Individual*" in Legal 500 Asia Pacific 2018 - 2021, and under "*Hall of Fame*" in Legal 500 Asia Pacific 2022 - 2025
- Ranked for Intellectual Property in Chambers Asia Pacific 2017 -

2026

- Ranked for TMT in Chambers Asia-Pacific 2019 – 2026
- Named as a "*Distinguished Practitioner*" for IP by Asialaw Profiles since 2020 - 2023
- Recognised as "*IP Expert*" in Malaysia by Asia IP 2021 - 2024
- Listed as "*WIPR Leader in IP 2024*" by World IP Review 2024
- Recognised as a "*Recommended Practitioner*" in the Who's Who Legal (WWL) - Southeast Asia : Data, Patents, Trademarks 2024
- Recognised as a "*Recommended Practitioner*" in the Who's Who Legal (WWL): Telecoms & Media 2022 – 2024.
- Listed in Asia Business Law Journal as one of '*Malaysia Top 100 Lawyers - The A List*' in 2019, 2020, and 2022.
- Listed as "*WIPR's Influential Women in IP 2020*" by World IP Review
- Listed in the Managing IP's Top 250 Women in IP 2021
- Recognised as an IP Star by Managing IP for 2016 and 2017
- '*Charmayne Ong is clearly a leader in the TMT sector in Malaysia. She is an excellent practitioner and a leader in the field.*' - Chambers Asia-Pacific 2026
- '*Charmayne Ong is solid in all things commercial.*' - Legal 500 Asia Pacific 2025
- '*Charmayne is outstanding. You'd always want her on your side on complex TMT matters.*' - Chambers Asia-Pacific 2024
- '*Practice leader Charmayne Ong understands the needs of clients and ensures that their needs are met.*' - Legal 500 Asia Pacific 2024
- '*She thinks about the bigger picture and what commercial outcomes the client is seeking. She asks probing questions and develops excellent client-focused strategies.*' - Chambers Asia-Pacific 2023
- '*She is a go-to lawyer for TMT and IP, with a super network and excellent team. She is also very responsive.*' - Chambers Asia-Pacific 2023
- '*Charmayne is an excellent lawyer with deep knowledge of the market and the commercial driver underpinning what clients are looking for from advisers.*' - Chambers Asia-Pacific 2023
- '*Charmayne Ong Poh Yin is super organized and an excellent communicator. She also sees the bigger picture, cutting through complex IP matters to get to a positive, commercial outcome.*' - Legal 500 Asia Pacific 2023
- '*Charmayne Ong provides clear and practical legal advice and is always prompt in her responses. She is assisted by a team of capable associates, alongside ten colleagues with similar expertise.*' - Legal 500 Asia Pacific 2023
- '*Charmayne Ong Poh Yin and her team are very easy to work*

with, responsive and client-focused. Charmayne has the ability to effortlessly manage several matters across several countries and time-zones.' - Legal 500 Asia Pacific 2023

- *'Charmayne Ong is our key contact. She is great on collaboration and always available. Quickly acknowledges instructions and places strong emphasis on quality of work. Very strong in communications.'* - Legal 500 Asia Pacific 2023
- *'Excellent case management and delivery.'* - Asialaw Profiles 2023
- *'She is very responsive, and also has broad knowledge of many legal areas. She has a deep team of specialists and can quickly get the right lawyer you need on a case.'* - Asialaw Profiles 2023
- *'Charmayne is hugely experienced in data and technology matters. She is professional and pragmatic.'* - Chambers Asia-Pacific 2022